

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 19-3518

Scott Smith

Plaintiff - Appellant

v.

Golden China of Red Wing, Inc.; Vu Thu Lam

Defendants - Appellees

Appeal from U.S. District Court for the District of Minnesota
(0:17-cv-01862-JRT)

JUDGMENT

Before SHEPHERD, STRAS, and KOBES, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is vacated and the cause is remanded to the district court for proceedings consistent with the opinion of this court.

February 17, 2021

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans